

103^D CONGRESS
2^D SESSION

H. R. 4184

To amend the Job Training Partnership Act to establish a public works and public service job training program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 1994

Miss COLLINS of Michigan introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Job Training Partnership Act to establish a public works and public service job training program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Full Employment Op-
5 portunity and Infrastructure Improvement Act of 1994”.

6 **SEC. 2. PUBLIC WORKS AND PUBLIC SERVICE JOB TRAIN-**
7 **ING PROGRAM.**

8 (a) IN GENERAL.—The Job Training Partnership
9 Act (29 U.S.C. 1501 et seq.) (in this Act referred to as

1 “the Act”) is amended by adding at the end the following
2 new title:

3 **“TITLE VIII—PUBLIC WORKS**
4 **AND PUBLIC SERVICE JOB**
5 **TRAINING PROGRAM**

6 **“SEC. 801. FINDINGS AND PURPOSES.**

7 “(a) FINDINGS.—The Congress finds that—

8 “(1) restoring the competitiveness and enhanc-
9 ing the productivity of the United States will require
10 that all workers possess basic job and educational
11 skills; and

12 “(2) an investment in human capital will have
13 a substantial impact on increasing productivity in
14 the United States.

15 “(b) PURPOSES.—The purposes of this title are to
16 establish a public works and public service job training
17 program designed—

18 “(1) to provide on-the-job training opportunities
19 for hard-to-employ individuals; and

20 “(2) to improve infrastructure and public sector
21 service delivery.

22 **“SEC. 802. ALLOTMENT AND ALLOCATION.**

23 “(a) ALLOTMENT TO STATES.—Of the amount ap-
24 propriated under section 3(g) for each fiscal year and
25 available to carry out this title, the Secretary shall allot

1 such amount to the States for allocation to service delivery
2 areas within each State.

3 “(b) ALLOCATION TO SERVICE DELIVERY AREAS.—
4 Of the amount allotted to a State under subsection (a)
5 for a fiscal year, the Governor shall allocate such amount
6 to service delivery areas in such State in accordance with
7 the criteria contained in subparagraphs (A) through (C)
8 of section 202(b)(1).

9 “(c) REALLOTMENT.—

10 “(1) IN GENERAL.—Not later than 60 days
11 after the end of each program year, the Secretary
12 shall, in accordance with the requirements of this
13 subsection, reallocate to eligible States amounts appro-
14 priated for such program year that are available for
15 reallocation under paragraph (2).

16 “(2) AMOUNT.—The amount available for real-
17 lotment is equal to the amount by which the unobli-
18 gated balance of the State allotment under sub-
19 section (a) for all States at the end of the program
20 year prior to the program year for which the deter-
21 mination under this subsection is made exceeds 20
22 percent of such allotment for that prior program
23 year.

24 “(3) ELIGIBLE STATES DEFINED.—For pur-
25 poses of this subsection, the term ‘eligible States’

1 means States that demonstrate progress toward
2 achieving the objectives of this title and that require
3 additional funds in order to accomplish such objec-
4 tives, as determined by the Secretary.

5 **“SEC. 803. USE OF FUNDS.**

6 “(a) IN GENERAL.—A service delivery area shall use
7 amounts allocated under section 802 to establish a public
8 works and public service job training program under which
9 eligible individuals participate in job projects in accord-
10 ance with this title.

11 “(b) CONDUCT OF PROGRAM.—In carrying out the
12 program established under subsection (a), the service de-
13 livery area shall—

14 “(1) prepare a plan for the establishment and
15 conduct of job projects pursuant to criteria pre-
16 scribed by the Secretary;

17 “(2) submit such plan to the Secretary for re-
18 view and approval;

19 “(3) provide for an objective assessment of the
20 skill levels and service needs of each participant to
21 determine the appropriate job project for each such
22 participant;

23 “(4) provide participants with limited English
24 speaking ability such instruction as the service deliv-
25 ery area considers appropriate;

1 “(5) use objective measures to monitor the suc-
2 cess or failure of the participant in the job project
3 and maintain records on each participant;

4 “(6) conduct outreach activities to attract eligi-
5 ble individuals;

6 “(7) provide pre-employment skills and work re-
7 sponsibility training;

8 “(8) provide each participant with—

9 “(A) information about and referrals to
10 pre-college and adult continuing education and
11 related training programs;

12 “(B) appropriate social services, including
13 information relating to educational programs;
14 and

15 “(C) information about programs and serv-
16 ices provided by the State apprenticeship coun-
17 cil;

18 “(9) establish a job counseling and job place-
19 ment service to assist each participant in obtaining
20 employment upon completion of the job project, in-
21 cluding the training-related placement of minorities
22 in nontraditional employment and apprenticeships;
23 and

1 “(10) prepare and submit an annual report to
2 the Secretary on the activities of the service delivery
3 area with respect to the program.

4 “(c) JOB PROJECT REQUIREMENTS.—Each job
5 project shall meet the following requirements:

6 “(1) Each job project shall be capable of com-
7 pletion within 24 months.

8 “(2) Each job project shall provide for on-the-
9 job training and employment of eligible individuals,
10 including the training of minorities in nontraditional
11 employment.

12 “(3) A participant who has not received a high
13 school diploma or its equivalent shall, in order to
14 continue employment in the project, maintain satis-
15 factory progress toward receiving a high school di-
16 ploma or its equivalent.

17 “(d) PERSONNEL.—A service delivery area shall—

18 “(1) employ an administrator and support per-
19 sonnel sufficient to carry out the program estab-
20 lished under subsection (a); and

21 “(2) select a project manager for each job
22 project assisted under this title, in accordance with
23 criteria established by the Secretary.

24 “(e) PROGRESS REPORTS.—The administrator shall
25 prepare and submit to the private industry council of the

1 service delivery area monthly progress reports on the job
2 projects.

3 “(f) ADMINISTRATIVE COSTS.—Not more than 10
4 percent of amounts allocated under section 802 to a serv-
5 ice delivery area for a fiscal year may be used for adminis-
6 trative expenses in carrying out the program established
7 under subsection (a).

8 “(g) CRITERIA RELATING TO PROFIT OR LOSS OF
9 EMPLOYERS.—The Secretary shall develop criteria to be
10 used by each private industry council to evaluate the pro-
11 jected profit or loss of an employer with respect to a job
12 project carried out by such employer.

13 “(h) JOB PROJECT DEFINED.—For purposes of this
14 title, the term ‘job project’ means—

15 “(1) the construction, renovation, repair, or
16 other improvement, and maintenance of a public
17 building or other public facility (including a surface
18 transportation, aviation, water resources, solid waste
19 management, or drinking water facility) with com-
20 mercial, industrial, public, service, or other value, or

21 “(2) work in such fields as environmental qual-
22 ity, health care, education, public safety, crime pre-
23 vention and control, prison rehabilitation, transpor-
24 tation, recreation, maintenance of parks, streets, and
25 other public facilities, solid waste removal, pollution

1 control, housing and neighborhood improvements,
2 rural development, conservation, beautification, and
3 other fields of human betterment and community
4 improvement,
5 that will be carried out by a public agency or a private
6 nonprofit organization and would not otherwise be con-
7 ducted with existing funds.

8 **“SEC. 804. ELIGIBLE INDIVIDUALS.**

9 “(a) IN GENERAL.—Subject to the limitations in sub-
10 section (b), an individual shall be eligible to participate
11 in a job project under this title if such individual—

12 “(1)(A) has a high school diploma or its equiva-
13 lent; or

14 “(B) is enrolled in a program which leads to a
15 high school diploma or its equivalent and is making
16 substantial progress toward such diploma or equiva-
17 lent;

18 “(2) is at least 18 years of age;

19 “(3) has resided in the service delivery area for
20 at least 60 consecutive days prior to applying for
21 employment under the job project; and

22 “(4)(A) has been unemployed for at least 35
23 consecutive days prior to applying for such employ-
24 ment;

1 “(B) sought employment during such 35-day
2 period; and

3 “(C) provides assurances that he or she will
4 continue to seek employment during the last 6
5 months of the job project.

6 “(b) LIMITATIONS.—

7 “(1) MAXIMUM INCOME.—An individual whose
8 income from all sources for the year preceding the
9 year in which the determination of employment
10 under the job project is made is equal to or greater
11 than 150 percent of the official poverty line (as de-
12 fined by the Office of Management and Budget, and
13 revised annually in accordance with section 673(2)
14 of the Omnibus Budget Reconciliation Act of 1981
15 (42 U.S.C. 9902(2)) shall not be eligible to partici-
16 pate in a job project under this title.

17 “(2) RETIREMENT BENEFITS.—An individual
18 eligible for retirement benefits under the Social Se-
19 curity Act (42 U.S.C. 301 et seq.), under any retire-
20 ment system for Federal Government employees,
21 under the railroad retirement system, under the
22 military retirement system, or under any private
23 pension program shall not be eligible to participate
24 in a job project under this title.

1 **“SEC. 805. WAGES AND BENEFITS AND SUPPORTIVE SERV-**
2 **ICES.**

3 “(a) WAGES AND BENEFITS.—Notwithstanding sec-
4 tion 141(k), each participant in a job project under this
5 title shall receive the following:

6 “(1) Wages in an amount equal to—

7 “(A) the wages described in section 143(d)
8 with respect to laborers and mechanics de-
9 scribed in such section; or

10 “(B) in cases where subparagraph (A) does
11 not apply, wages equal to the higher of—

12 “(i) the minimum wage established
13 under section 6(a)(1) of the Fair Labor
14 Standards Act of 1938 (29 U.S.C.
15 206(a)(1)); or

16 “(ii) the minimum wage established
17 under the applicable State minimum wage
18 law.

19 “(2) Benefits and employment conditions com-
20 parable to the benefits and conditions provided to
21 other employees employed in similar occupations by
22 a comparable employer, as determined by the private
23 industry council.

24 “(b) SUPPORTIVE SERVICES.—Each service delivery
25 area shall make available to each participant in a job

1 project under this title appropriate supportive services to
 2 enable a participant to work.

3 **“SEC. 806. WAIVER AUTHORITY.**

4 “The service delivery area may waive the education
 5 requirement under section 803(c)(3) with respect to a par-
 6 ticipant in a job project.

7 **“SEC. 807. LINKAGES.**

8 “In carrying out the program under this title, each
 9 service delivery area shall establish appropriate linkages
 10 with other appropriate programs, including programs
 11 under titles II and III and any other provision of this Act,
 12 to avoid duplication and enhance the delivery of services.”.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 14 3 of the Act (29 U.S.C. 1502) is amended by adding at
 15 the end the following new subsection:

16 “(g) There are authorized to be appropriated such
 17 sums as may be necessary to carry out title VIII.”.

18 (c) CONFORMING AMENDMENT.—The table of con-
 19 tents of the Act is amended by adding at the end the fol-
 20 lowing new items:

“TITLE VIII—PUBLIC WORKS AND PUBLIC SERVICE JOB
 TRAINING PROGRAM

“Sec. 801. Findings and purposes.

“Sec. 802. Allotment and allocation.

“Sec. 803. Use of funds.

“Sec. 804. Eligible individuals.

“Sec. 805. Wages and benefits and supportive services.

“Sec. 806. Waiver authority.

“Sec. 807. Linkages.”.

1 **SEC. 3. REQUIREMENT THAT STATE APPRENTICESHIP**
2 **COUNCIL REPRESENTATIVE BE MEMBER OF**
3 **PRIVATE INDUSTRY COUNCIL.**

4 Paragraph (3) of section 102(a) of the Act (29
5 U.S.C. 1512(a)(3)) is amended by adding at the end the
6 following new subparagraph:

7 “(F) The State apprenticeship council.”.

○